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SAFETY NEWS ALERT

Safety News Alert, part of the Catalyst Media Network, keeps safety pros up to date on the latest OSHA news, safety training ideas, workers' comp cases and injury cases from other companies. Read what more than 334,000 safety pros turn to regularly for occupational safety information. Safety News Alert's editorial staff is led by veteran Editor-in-Chief Fred Hosier.

COVID risk assessments, training: What you need to know

■ *How to stay out of OSHA's enforcement crosshairs*

You've probably heard about OSHA's national emphasis program (NEP) to address coronavirus hazards in the workplace. It means a potential increase in inspections – including remote inspections – and fines related to the pandemic (more than \$4 million total so far).

According to Jack Fearing, a certified professional environmental auditor, one of the most helpful resources for ensuring you're in compliance with federal guidelines is the agency's Jan. 29, 2021, "OSHA Guidance on Mitigating and Preventing the Spread of

COVID-19 in the Workplace."

Among the 16 requirements listed in the document are two that deserve some extra consideration:

- COVID-19 risk assessments, and
- employee education.

Risk assessment

What's your face covering policy? Do any workstations need to be realigned for safety? Do any accommodations need to be made for workers who are at risk, such as work from home or relocation to a less occupied area? Is your workplace cleaning frequent and thorough

(Please see COVID risk ... on Page 2)

WELL-BEING

Report: Supporting mental health = safer workplace

New research from the National Safety Council (NSC) indicates employers that support their employees' mental health will not only have a safer workplace, but will also see a return of \$4 for every dollar invested in support efforts.

More than 40% of Americans reported increased mental distress due to the COVID-19 pandemic, leading to workplace safety issues and increased healthcare costs, but new research indicates employers that support their employees' mental health will benefit in a number of ways.

A 'hidden issue'

"Employee safety is at risk any time a worker isn't feeling 100% well – which is why we recommend employers prioritize both workers' mental and physical wellbeing."

Lorraine Martin, NSC president and CEO, said in a news release.

Mental distress has been "a hidden issue in the workplace, with 85% of workers reporting the workplace itself affects their mental health and wellbeing."

To address this issue, and to help employers better understand their role in supporting employee mental health, the NSC created the Mental Health Cost Calculator.

The calculator, which can be found on the NSC website, provides business leaders with data on the costs of employee mental distress in the workplace and identifies research-proven steps employers can take to help employees, along with specific ways untreated distress impacts employer costs.

50TH ANNIVERSARY

OSHA observes Workers Memorial Day

April 28, 2021, was Workers Memorial Day as well as OSHA’s 50th anniversary, so the Department of Labor (DOL) issued a news release marking both occasions and giving an update on the agency’s efforts to protect U.S. workers.

OSHA was created 50 years ago to protect the lives of workers, while Workers Memorial Day commemorates those men and women who lost their lives on the job.

COVID ETS, additional personnel

The COVID-19 pandemic “has highlighted – perhaps more than in any time in its history – the vital importance of OSHA’s mission.”

After some delay, the agency recently sent a draft COVID-19 emergency temporary standard (ETS) to the White House for review.

And because of the American Rescue Plan Act of 2021, OSHA is getting an additional \$100 million in funding, some of which will go toward

hiring 160 new personnel, including compliance safety and health officers.

The agency also recently launched a Workers Memorial Page on its website, which features a virtual Workers Memorial Wall that includes names and images of workers who died on the job “as a solemn tribute for workers’ families, friends and co-workers.

COVID risk ...

(continued from Page 1)

enough? Do any HVAC adjustments need to be made?

All these questions should be addressed as part of a workplace COVID risk assessment.

Fearing cautioned that this isn’t a one-and-done process. He said that it only represents “a snapshot in time” and should be redone whenever there are major changes, such as the rate of spread of the virus in your local community.

“Risk assessments are guidance documents for making professional judgments. They need to be verified and ... that you have the right measures in place,” Fearing said.

Employee education

OSHA says employers are required to train employees on:

- what COVID-19 is, in the primary language of all employees
- proper use of PPE, including respirator fit-testing with a medical evaluation
- workplace infection control practices
- steps to follow if there are COVID-19 symptoms or a case is suspected, and
- reporting unsafe working conditions.

As things continue to change, these trainings may need to be updated and revisited. To stay current, Fearing advised registering for OSHA’s daily Workplace Safety Reminders (on the *osha.gov* home page).

It also may be a good time to double-check that the qualification credentials of your trainers are up to date.

SHARPEN YOUR JUDGMENT

This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.

■ DID COMPANY DO ENOUGH TO BLOCK UNSAFE AREA?

“I have to get started on this presentation,” Safety Manager Pete Travers said to himself. “Time to focus.”

As he began to settle into the task, an insidious melody from an ‘80s era pop song inserted itself into his brain.

Despite the intensity of the song worming into his mind, Pete found himself totally focused on his work.

He was so focused, he didn’t see company attorney John Jenkins at the door.

“Are you singing a Debbie Gibson song?” John asked.

Used hanging tarps as barrier

“Sorry,” Pete said. “What can I help you with?”

“We have an OSHA citation to deal with,” said John. “Something about an unsafe area of a worksite not being clearly marked.”

“Yes, I remember that worksite,” Pete said. “We had workers doing a renovation project on an elevated platform.

“As they worked, debris would regularly fall,” Pete explained. “So the crew was supposed to isolate the area in a way that other workers couldn’t just walk in. Our workers typically use hanging tarps to keep dust contained within the worksite, and they thought that would be enough of a barrier to keep other workers out.”

“If they did use some form of barrier to keep other workers out, then we can fight this,” John said.

Pete’s company fought the citation. Did it win?

■ *Make your decision, then please turn to Page 6 for the ruling.*

SAFETY COMPLIANCE *Alert*

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COVID-19

Do the fully vaccinated have to mask up?

■ OSHA (SORT OF) CLARIFIES ITS STANCE ON CDC GUIDANCE

Are you confused over what the latest guidance regarding masks and those fully vaccinated against COVID-19 means for employers? Thankfully, one safety organization asked for clarification from OSHA, and the agency responded.

The American Industrial Hygienist Association (AIHA) asked OSHA and the U.S. Centers for Disease Control and Prevention (CDC) to clarify the guidance and OSHA responded saying, “Refer to the CDC guidance for information on measures appropriate to protect fully vaccinated workers.”

Uh, thanks for clearing that up, I guess.

New CDC trumps old OSHA

To be clear, the AIHA asked OSHA and the CDC to “clarify what this new guidance means for workers and employers, and how they could implement it,” and OSHA responded with “refer to the CDC guidance” for the time being.

So what does that mean exactly? According to law firm Seyfarth Shaw, it means OSHA has temporarily adopted the CDC guidance that says individuals who are fully vaccinated against COVID-19 can stop wearing masks or maintaining social distance “in the vast majority of indoor and outdoor settings, regardless of crowd size.”

However, OSHA’s older guidance that encouraged masks and social distancing is still present on the agency’s website, albeit with a red banner at the top indicating the CDC’s May 13, 2021 guidance trumps OSHA’s past guidance.

Enforcement?

The agency also says this is a temporary measure and that official OSHA guidance is forthcoming.

The bottom line, though, is when it comes to enforcement by federal OSHA, Seyfarth Shaw doesn’t “anticipate OSHA to try to establish liability based on alleged exposures from vaccinated, asymptomatic employees.”

WORKERS' COMP

Injuries from ‘everyday actions’ more compensable

An Illinois Supreme Court decision from September 2020 that shifted the burden of proof from the employee to the employer in workers’ compensation cases involving “everyday actions” is now affecting current case law in the state.

The court decided in *McAllister v. Illinois Workers’ Compensation Commission* that injuries from everyday actions, or “neutral risks,” could be compensable as long as they created an employment-related risk of injury.

Before this decision, such risks weren’t compensable unless an employee could show they were quantitatively or qualitatively exposed to a greater degree than the general public, according to

law firm Goldberg Segalla.

This change affected decisions in *Flex-N-Gate Logistics v. Illinois Workers’ Comp Commission* and *Dunn v. Cook County*, which saw court decisions favoring the workers who suffered neutral risk injuries.

Takeaways

- Some key things to remember:
- Compensability analyses of these injuries need to be more fact specific.
 - In these cases, employers should thoroughly investigate and document even the smallest of details.
 - Job descriptions could become an important factor in considering whether the action was incidental to employment.

TRENDS TO WATCH

Watch what’s happening in various states. Some actions indicate trends.

■ BILL REQUIRES EMPLOYER INFECTIOUS DISEASE PLANS

New York Governor Andrew Cuomo signed a bill May 5 that will form the basis of an overhaul of the state’s workplace health and safety laws.

Among the changes, the Health and Essential Rights, or HERO, Act requires all New York businesses to adopt airborne infectious disease exposure plans, according to law firm Reed Smith.

Employers can satisfy the airborne infectious disease exposure plan by adopting the state Department of Labor’s model standards or by adopting an alternative plan that meets or exceeds those standards.

Once a plan is adopted, employers must make written copies of it available to all employees and post it in a “visible and prominent location within the workplace.”

■ INJUNCTION FILED TO STOP WORKER MISCLASSIFICATION

Two district attorneys in California filed a motion for preliminary injunction to stop a service company from continuing to misclassify its workers as independent contractors instead of employees.

San Francisco District Attorney Chesa Boudin and Los Angeles County District Attorney George Gascón filed the injunction against Handy Technologies, a company that offers household services, including home cleaning and handyman services.

The motion is part of a lawsuit against Handy, “which alleges Handy is violating California law by unlawfully classifying its cleaning and handyman workforce as independent contractors, thereby stripping them of crucial workplace protections and worker safety-net benefits.”

Roundup of most recent OSHA citations

Construction worker dies after falling 120 feet

Two construction companies involved in building Los Angeles' SoFi Stadium were cited by Cal/OSHA following a worker's fatal fall.

Juan Becerra, an employee of ZD Inspection, died in June after falling 120 feet through a roof opening in the southeast corner of the stadium.

ZD Inspection and another company, Fabritec Structures LLC, are facing serious violations for failing to provide rails or covers for roof openings and other fall-related violations, according to the *Los Angeles Times*.

Fines: \$22,500 (Fabritec Structures); \$18,000 (ZD Inspection)

Companies: Fabritec Structures, Tustin, CA; ZD Inspection, Owensville, MO

Businesses: Roofing contractors (Fabritec Structures); commercial and institutional building construction (ZD Inspection)

Reasons for fines:

Both companies received a total of five serious violations, including failure to:

- use railings, toe boards or covers to prevent employees from falling through roof openings
- ensure employees used personal fall arrest systems
- correct unsafe conditions involving fall hazards

2 amputation injuries on same machine: \$237K fine

A New Jersey frozen dessert manufacturer was cited by OSHA after two severe amputation injuries occurred on the same machine across a two-year timespan.

In September 2020, a maintenance mechanic lost two fingers while repairing an ice cream wrapper machine, and an OSHA investigation found the company failed to have employees shut down and isolate energy to the machine during repair work.

The same machine was involved

in a 2018 incident which saw a sanitation worker lose one finger and fracture another while he attempted to clear a jam.

Fine: \$238,151

Company: Fieldbrook Foods, Lakewood, NJ

Business: Ice cream and frozen dessert manufacturing

Reasons for fine:

One willful violation for failure to:

- use procedures for control of potentially hazardous energy when employees were performing maintenance on equipment

One repeat violation for failure to:

- ensure group lockout procedures were utilized by mechanics working together to perform maintenance activities

Three serious violations for failure to:

- retrain employees after change in job or equipment assignments
- ensure flexible cord had intact outer sheath to protect against exposure to water and ice cream debris
- ensure flexible cords had strain relief

Failure to inspect site leads to fatal crash: \$8.4K fine

Indiana OSHA cited a highway construction contractor for failing to inspect its jobsites frequently enough following a crash that killed a tank truck driver.

The driver died from blunt force trauma after a tractor-trailer crashed into his vehicle and a pickup truck that were part of a road shoulder maintenance project, according to *The Times of Northwest Indiana*.

Fine: \$8,400

Company: Walsh & Kelly Inc., Griffith, IN

Business: Highway construction

Reasons for fine:

Two serious violations for failure to:

- ensure competent person conducted regular inspections of jobsites
- ensure shadow vehicle used for protecting employees followed design and use of all traffic control devices

WORKERS' COMP DECISIONS

Not enough evidence of an injury: Can she collect?

A nurse claimed she injured herself while helping lift a patient, but her employer says there's no objective evidence of the injury. Can she collect?

What happened: The nurse claimed she injured her thigh while helping lift a patient. She received multiple treatments and had continued pain in her thigh.

Company's reaction: You don't have enough medical evidence to support your claim.

Decision: She may be able to collect. An appeals court reinstated her claim because it found there was sufficient evidence to present a question of whether there was a work-related injury.

Cite: *Melius v. Chapel Ridge Nursing Center*, AR Court of Appeals, No. CV-20-114, 2/10/21.

Can he collect on GI bleed that happened at work?

Can a worker collect for a gastrointestinal bleed that occurred at work?

What happened: An employee was lifting 50-pound bags of dog food at work. The next day, his stomach made strange gurgling noises and he noticed blood in his stool. He was later diagnosed with an unspecified gastrointestinal hemorrhage and related issues.

Company's reaction: Your GI bleed is idiopathic and not work-related.

Decision: He couldn't collect. The court found there was plenty of evidence the injury was idiopathic. Further, the court said the worker couldn't point to a specific instance when the injury may have occurred.

Cite: *Nolen v. Walmart Associates*, AR Court of Appeals, No. CV-20-441, 2/10/21.

REAL PROBLEMS, REAL SOLUTIONS

'GOAL stones' reduced vehicle incidents

Many years ago, we had a rash of vehicle incidents: backing into, driving into or side-swiping objects.

We used a system you may have heard of: GOAL, which is Get Out And Look.

Drivers were supposed to do a 360-degree walk-around of their vehicle before driving to find objects they might drive into.

The process was there, but employees weren't using it.

We'd coached them, but it turns out the answer was to create a way for them to coach each other.

'Put these in your pocket'

Each driver got five "GOAL stones" per week. We said, keep them in your pocket or vehicle.

If an employee saw a co-worker drive without doing a GOAL check, the employee could coach their co-worker and ask to take one of their stones.

The object was not to run out of stones at the end of a week. Each week, drivers started off with five stones again.

The program was interactive and self-directed. It also engaged employees in this safety process.

Co-workers can be afraid to coach each other. This helped them feel comfortable in that role.

This was inexpensive, too. You can get a bag of floral arrangement stones at the dollar store.

Getting our employees to coach each other on GOAL helped prevent driving incidents.

(Based on a presentation by Melissa Layfield, Program Safety Manager, Parsons Corp., New Jersey, at the National Safety Council's Virtual Congress 2020)

Engaged worker training: More than just attending

Safety training doesn't automatically count as employee engagement. It's more than just attending live training

or completing computer-based courses.

Employees need to be involved in developing and presenting the training to be truly engaged in it.

This is a requirement for the Voluntary Protection Program.

Here's a good example of how a VPP company got its employees engaged in safety training.

'Eye of the Driver'

Marvin Windows' employees realized they had issues with forklift operators and close pedestrian encounters.

The employees realized they needed workers who weren't forklift operators to realize how difficult it can be to navigate among pedestrians – and how difficult, in general, it can be to drive a forklift.

Using GoPro-style cameras on forklifts, operators recorded video of driving from their point of view.

These were compiled into a video, "Eye of the Driver."

Employees were actively involved in recording, editing and presenting the video in safety training sessions.

Other workers were now able to see the dangers pedestrian traffic creates for forklift operators.

The videos are innovative, fun and high-quality.

It's a benefit to Marvin's overall safety program too, because having employees create these videos helps to develop a larger library for training.

It's important for companies that want to encourage their employees to develop their own safety training to provide the resources needed, including guidance from an EHS professional on any pertinent regulations on the training topic.

Having employees develop and present training helps them to be truly engaged in safety.

(Adapted from a presentation by Brad Baptiste, OSHA Regional VPP Manager, Denver, at VPPA's Next Level Safety conference)

TRAINING TIPS

Loose clothing and machinery do not mix

How often do employees think about what clothing they're wearing on the job and how it could impact their safety?

In most industries, probably not all that often.

However, employees working around machinery of any kind should probably give it more thought, as OSHA points out clothing could be caught in machinery.

The agency recommends workers ensure clothing has no strings or loose ends that could get caught and end up pulling them into a machine's hazardous zone.

Also, workers with long hair should tie it back to prevent entanglement.

Thinking about 'bad things' before they can happen

There's an old sci-fi novel by Brian Lumley called *Psychomech* in which the protagonist's bodyguard says something akin to, "I'm paid to think about bad things happening before they can happen."

This is something safety pros do as well, and it's equally important that employees get in that mindset, too.

For example, OSHA recently cited three contractors after a 3,000-pound metal gate fell on a construction worker, crushing him to death.

This occurred near the loading dock of a casino project that was recently finished.

OSHA found the contractors failed to inspect the site, train employees to identify hazards and install warning signs regarding possible hazards.

All of those things would've helped the worker think about the "bad thing" so he could've avoided it before it happened.

STATE COVID RULES

Law establishes requirements in public health emergencies

Washington State has a new law on the books that establishes requirements for employers during public health emergencies involving infectious diseases like COVID-19.

Governor Jay Inslee signed the bill into law May 11, establishing the Health Emergency Labor Standards Act (HELSEA), effective immediately.

What employers must do

HELSEA includes requirements employers must follow in the event of another public health emergency involving an infectious or contagious disease such as the COVID-19 pandemic, along with a list of what are considered frontline workers.

Requirements include:

- Frontline workers who contract an infectious disease are entitled to workers' compensation and medical benefits under a rebuttable presumption that exposure occurred on the job.
- Employers with more than 50 employees must notify the state's Department of Labor & Industries (L&I) within 24 hours if they have 10 or more employees who tested positive for an infectious disease.
- Employers are prohibited from discharge, replacement or

discrimination of high-risk employees for seeking accommodations or utilizing leave to protect against an infectious disease.

- Employers must notify employees, union representatives and employers of subcontracted employees of potential exposure to an infectious disease.

Co-owner arrested in \$1M comp scheme

A California construction company owner was arrested May 6 in a nearly \$1 million workers' comp scheme.

Carolyn Plaza, co-owner of construction contracting business Absolute Urethane, self-surrendered after a warrant was issued for her arrest on six counts of insurance fraud.

Plaza allegedly underreported more than \$3 million in payroll to reduce her company's workers' comp insurance premium by almost \$1 million.

She's set to be arraigned June 28.

The California Department of Insurance began investigating Plaza after receiving a tip from the State Compensation Insurance Fund (State

Fund) alleging she manipulated payroll reports to avoid paying higher premiums.

Investigators found Plaza allegedly provided false payroll records to State Fund for multiple policy years.

After comparing State Fund records to those provided to the Employment Development Department, investigators discovered Plaza underreported \$3,146,863 in employee payroll over five years.

This resulted in a \$985,091 loss in premium to State Fund.

Contractor agrees to training, \$380K fine

Minnesota contractor Wagner Construction agreed to increase employee training on trenching hazards and pay a \$380,000 fine after reaching a settlement with OSHA.

The agreement follows three jobsite inspections in 2019-20 that found workers exposed to excavation hazards.

Wagner hired a full-time safety and compliance manager in July 2020 and agreed to purchase new trench safety equipment for the 2021 construction season, the news release states.

SHARPEN YOUR JUDGMENT – THE DECISION

(see case on Page 2)

No, Pete's company lost when the court found the efforts made to block the area did not hold up under the standard.

MSHA was actually the agency that cited the company, which was a mine operator accused of failing to properly mark and barricade an area where debris was falling from the ceiling.

The mine operator claimed the hanging mesh used to catch the debris was enough of an indicator to make miners aware of the hazard.

MSHA argued that reflective tape and signs were required to keep miners from wandering into an area where debris caused a struck-by hazard.

The Federal Mine Safety and Health Review Commission

agreed with MSHA that the hanging mesh was not an adequate way to notify miners of the hazard.

■ ANALYSIS: KEEPING THEM OUT OF UNSAFE AREAS

While this case involved the mining industry, there's a valuable lesson here for any workplace regarding the methods for keeping workers out of unsafe areas.

Whether it's for a confined space, the area under a scaffold or the scene of a hazardous materials spill, the hazard – and the need to stay away from it – must be clearly communicated so workers fully understand that they need to stay clear for their own safety.

Cite: *Secretary of Labor v. Consol Pennsylvania Coal Company*, Federal Mine Safety and Health Review Commission, No. PENN 2018-0169, 4/19/21. Dramatized for effect.

Government notices on workplace safety

WHISTLEBLOWER

The Department of Labor (DOL) ordered BNSF Railway, one of the largest railroads in North America, to reinstate an employee and pay more than \$290,000 in back pay and damages after wrongly accusing an injured worker of violating a doctor's restrictions.

OSHA found the railroad violated federal law when it fired the worker, and ordered BNSF to reinstate him and pay back wages, attorney's fees and compensatory damages – along with \$150,000 in punitive damages.

BNSF accused the worker, who'd been injured on the job, of violating a doctor's restrictions on physical activity.

However, the employee provided documents during a hearing to prove his doctor allowed physical activities, according to a DOL news release.

But BNSF allegedly ignored the documents and fired him, which is a violation of his rights under the Federal Railroad Safety Act.

The railroad can file an objection or request a hearing to contest these allegations before the DOL's Office of Administrative Law Judges.

TRANSPORTATION

On May 9, the Federal Motor Carrier Safety Administration issued a temporary hours of service exemption to deal with the aftermath of the unanticipated shutdown of the Colonial Pipeline.

Colonial was shut down during a May 7 cyberattack and initially had no estimate on when the pipeline would restart, according to *Politico*.

The pipeline has since restarted.

To avoid disruption to supplies of gasoline, diesel, jet fuel and other refined petroleum products, the exemption applies to commercial drivers transporting those products to Alabama, Arkansas, the District of Columbia, Delaware, Florida, Georgia, Kentucky,

Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas and Virginia.

The FMCSA "will work closely with its state and industry partners to monitor driver work hours and conditions for the duration of the exemption," according to FMCSA.

Further exemptions were added May 12, including permission to transport overweight loads of gasoline and other fuels to Alabama, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Tennessee and Virginia.

An end date for the exemption was not announced.

VACCINATIONS

As COVID-19 vaccination rates have started to decrease, the National Safety Council says employers can – and should – play a major role in getting more shots into arms.

The NSC says it's time for employers to lead U.S. vaccination efforts.

NSC says vaccination is the best route to a safe and productive work environment, free from masks and social distancing.

Lorraine Martin, NSC CEO, says when some people in a workplace are vaccinated and some aren't, it creates more complexity in planning a safe transition back to a physical workspace that includes more than just essential workers.

Martin feels employers can play a direct role in encouraging vaccine uptake by deploying policies backed by public health research.

The NSC has also updated its SAFER Framework to account for more workers returning to a traditional work environment.

SAFER provides the latest guidance for ventilation, vaccine policies, mental health, remote work and flexible schedules.

WHERE TO GET HELP

■ CLEARINGHOUSE OFFERS STATE SAFETY MATERIALS

You can find safety materials on COVID-19 and other topics produced by various state health departments on the State-based Occupational Health Surveillance Clearinghouse.

The clearinghouse was created by the National Institute for Occupational Safety and Health (NIOSH) to provide easy access to workplace safety and health materials such as annual reports, posters and videos.

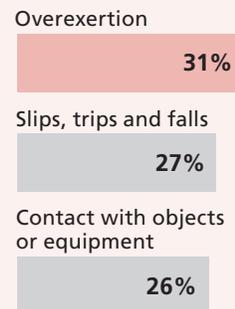
Other materials in the clearinghouse include journal articles, case reports, brochures, presentations, audio files and more.

Recent additions include materials addressing job-related public health issues, including COVID-19.

Info: www.n.cdc.gov/niosh-statedocs

What safety officers told us

What is the No. 1 cause of workplace injuries?



Source: National Safety Council

In 2019, overexertion had an injury rate of 27 per 10,000 full-time workers, resulting in an average of 13 days lost time, with the back being the most frequently hurt body part.

Each issue of SCA contains an exclusive survey to give safety professionals insight into what their peers nationwide are thinking and doing.

WHAT WOULD YOU DO?

Here's a challenging scenario you could encounter. We've asked three of your peers what they'd do. How would you handle it?

How do you get employee engagement when participation is being dominated?

The Scenario

I'll have to cut this safety tour short if I want to get to that training session on time, Manager Mike Kelly thought.

As he rounded a corner, he couldn't help but overhear a conversation between two employees who were on their way to the safety training Mike was about to give.

"Man, this sucks," one of them said.

"I know. This safety training is just going to make the day drag," the other one said.

"I mean, I know it's important and all," the first worker said. "And Mike makes it as interactive as possible, but it's really hard to get into it, you know?"

"I know exactly what you mean," the second worker said. "I think part

of it is because of the way Connor and Lucille act."

2 workers hijacking training

"Yeah, it's like they're competing to be the first to answer Mike's questions," the first worker said.

"Is it brown-nosing or were they 'that kid' in school?" the second asked. "The type who liked to show off how smart they are."

"Who knows, but it makes it so no one else can answer, even if they wanted to," the first said.

"Right. I think everybody else has given up trying to participate at this point," the second worker replied.

I thought no one else was participating because they didn't want to, Mike thought. I had no idea it was because of Connor and Lucille.

If you were Mike, what would you do in this situation?

Reason: This way, everyone gets to participate, and Connor and Lucille may get some good medicine through their experience.

3 National Safety Council Infographic: Staff Engagement tinyurl.com/NSCinfographic

What the National Safety Council suggests you do: The NSC suggests:

- providing employees with listening channels
- capturing and analyzing their feedback
- uncovering their insights, and
- taking data-driven action based on what you learn.

Reason: All employees play a critical role in identifying any gaps there may be in a safety program.

Plus, they'll feel more engaged, and companies with better engagement scores had 70% fewer safety incidents than those with lower scores.

Reader Responses

1 Vickie Garmon, Safety Director, HH Technologies, Bremen, AL

What Vickie would do: I would go around the room to give each one a chance to answer.

Reason: Give each one ample opportunity to participate if they want to.

2 Matt Nisbet, Operations Director, The King's Academy, Sunnyvale, CA

What Matt would do: Delegate some of the teaching elements to Connor, Lucille and the disgruntled workers. Charge them each with doing their research and "knowing their stuff" when it comes time to train the group, with Mike retaining the authority to step in for modification, correction or continued discussion.

OUTSIDE THE LINES

■ CAT WALKS AWAY UNINJURED FROM FIFTH FLOOR FALL

If people were like cats, we wouldn't have to worry quite as much about fall protection.

Take for example, the Chicago cat seen jumping from a fifth-floor window to the ground below to escape a fire raging inside the building.

"The fire-fleeing feline briefly tested the side of the building with its front paws, and then jumped," according to the *Associated Press*.

As it fell, the cat "missed a wall ... and instead landed on all four paws atop grass, where it bounced once and immediately ran away."

The cat then hid under a nearby emergency vehicle, but the local fire department recovered it and declared it injury-free.

An amazing feat, even for a cat, but a human wouldn't be so lucky.

Did you know ...

Maintain 3 points of contact when climbing in or out of a truck cab



When **climbing** up or down a cab, use **three points of contact** and ensure **stable footing**.

Source: Washington State Dept. of Labor & Industries

Also, before attempting to climb into the vehicle, make sure the grab handles and cab steps are securely mounted and that they are clean, dry and usable.

This feature in each issue of SCA charts trends in national workplace safety and health to help safety professionals perform their jobs.